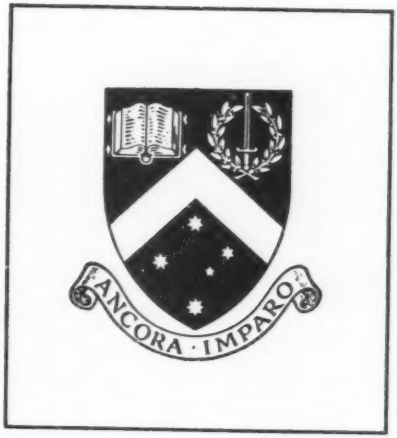
MONASH UNIVERSITY LAW REVIEW



Index to Volumes 17 and 18

SUBJECT INDEX

(A) indicates Article; (C) indicates Case Note.
Book reviews are listed separately in the index on page 8.

ABORIGINES
Aboriginal Land Rights at Common Law: *Mabo* v *Queensland* (P O'Connor) (C) 18:251

ADMINISTRATIVE LAW
Legitimate Expectations and Fairness — New Directions in Australian Law (M Paterson) (A) 18: 70

CONSTITUTIONAL LAW
Making Sense of Religion and the Constitution: a Fresh Start for Section 116 (S McLeish) (A) 18:207

CONSUMER PROTECTION
Some Reflections on Consumer Protection and the Law Reform Process (A J Duggan) (A) 17:252

CORPORATIONS
New Developments in Directors' Duties — The Victorian Stance on Financial Competence (J Dodds) (A) 17:132

COURTS
The Cross-vesting Scheme and Federal Jurisdiction Conferred upon State Courts by the *Judiciary Act* 1903 (Cth) (G J Lindell) (A) 17: 64
The Interventionist Court and Procedure (K H Marks) (A) 18: 1

CRIMINAL LAW AND PROCEDURE
Order Out of Chaos: Victoria's New Maximum Penalty Structure (R G Fox) (A) 17:106

DEBTOR AND CREDITOR
The Quistclose Trust: Intention and the Express Private Trust (F R Burns) (A) 18:147

ECONOMICS, LAW AND
Law and Economics (A Mason) (A) 17:167

FAMILY LAW
Jewish Divorce in Australian Family Law (A Strum) (A) 17:182
Living Together — The Legal Effects of the Sexual Division of Labour in Four Common Law Countries (M Neave) (A) 17: 14

INTELLECTUAL PROPERTY
Making Sense of Copyright Law Relating to Parody: A Moral Rights Perspective (M Weir) (A) 18:194

JUDGES AND JUDGING
Law and Economics (A Mason) (A) 17:167

JURISPRUDENCE
Legal Education: Pulling its Weight in the Nineteen Nineties and Beyond (R E McGarvie) (A) 17: 1

LAND LAW
Aboriginal Land Rights at Common Law: *Mabo* v *Queensland* (P O'Connor) (C) 18:251
Deferred Indefeasibility of Title in Victoria? (G Teh) (A) 17: 77

LAW REFORM
Some Reflections on Consumer Protection and the Law Reform Process (A J Duggan) (A) 17:252

LEGAL EDUCATION
Legal Education: Pulling its Weight in the Nineteen Nineties and Beyond (R E McGarvie) (A) 17: 1

LEGAL PROFESSION
'Chinese Walls' and Conflicts of Interest (L Aitken) (A) 18: 91

LEGAL WRITING
Good Legal Writing: a Guide for the Perplexed (S Murumba) (A) 17: 93

NEGLIGENCE
The Defendants' Liability for Negligentiy Caused Nervous Shock in Australia — Quo Vadis? (D Mendelson) (A) 18: 16
Gala v *Preston*: the Defence of Illegality to an Action in Negligence (S Ginsbourg and B J Newton) (C) 18:243
The Liability of a Public Authority for the Failure to Carry Out a Careful Exercise of its Statutory Powers (K M Hogg) (A) 17:285
Proximity and Illegality in Negligence (G Bosmans and F Lewis) 18:237

PLANNING
Ministerial Power to Amend Planning Schemes Without Notice: What Limits? (T L Bryant and S G Streets) (A) 18:119

PRACTICE AND PROCEDURE, CIVIL
The Cross-Vesting Scheme and Federal Jurisdiction Conferred upon State Courts by the *Judiciary Act* 1903 (Cth) (G J Lindell) (A) 17: 64
The Interventionist Court and Procedure (K H Marks) (A) 18: 1

PROPERTY
Living Together — the Legal Effects of the Sexual Division of Labour in Four Common Law Countries (M Neave) (A) 17: 14

RELIGION
Making Sense of Religion and the Constitution: a Fresh Start for Section 116 (S McLeish) (A) 18:207

SOCIAL WELFARE
Reciprocal Social Security Agreements Entered into by Australia: Extending Income Support or Winding Back the Welfare State? (B Simpson) (A) 17:327

TORT
Restitutionary Principles in Tort: Wrongful User of Property and the Exemplary Measure of Damages (J Glover) (A) 18:169

TRUSTS
The Quistclose Trust: Intention and the Express Private Trust (F R Burns) (A) 18:147

WOMEN AND THE LAW
Living Together — the Legal Effects of the Sexual Division of Labour in Four Common Law Countries (M Neave) (A) 17: 14

TITLE INDEX TO ARTICLES

'Chinese Walls' and Conflicts of Interest (L Aitken) 18: 91
The Cross-vesting Scheme and Federal Jurisdiction Conferred Upon State Courts by the *Judiciary Act* 1903 (Cth) (G Lindell) 17: 64
The Defendants' Liability for Negligently Caused Nervous Shock in Australia — Quo Vadis? (D Mendelson) 18: 16
Deferred Indefeasibility of Title in Victoria? (G Teh) 17: 77
Eggleston, Sir Richard Moulton, QC: In Memoriam Vol 17(2)
Good Legal Writing: A Guide for the Perplexed (S Murumba) 17: 93
The Interventionist Court and Procedure (K Marks) 18: 1
Jewish Divorce in Australian Family Law: The Enforceability of Jewish Nuptial and Prenuptial Contracts (A Strum) 17:182
Law and Economics: Monash Law School Foundation Lecture (A Mason) 17:167
Legal Education: Pulling its Weight in the Nineteen Nineties and Beyond (R McGarvie) 17: 1
Legitimate Expectations and Fairness: New Directions in Australian Law (M Paterson) 18: 70
The Liability of a Public Authority for the Failure to Carry Out a Careful Exercise of its Statutory Powers: The Significance of the High Court's Decision in *Sutherland Shire Council* v *Heyman* (K Hogg) 17:285
Living Together — The Legal Effects of the Sexual Division of Labour in Four Common Law Countries (M Neave) 17: 14
Making Sense of Copyright Law Relating to Parody: A Moral Rights Perspective (M Weir) 18:194
Making Sense of Religion and the Constitution: A Fresh Start for Section 116 (S McLeish) 18:207
Ministerial Power to Amend Planning Schemes Without Notice: What Limits? (T Bryant, S Streets) 18:119
New Developments in Directors' Duties — The Victorian Stance on Financial Competence (J Dodds) 17:132
Order Out of Chaos: Victoria's New Maximum Penalty Structure (R Fox) 17:106
The Quistclose Trust: Intention and the Express Private Trust (F Burns) 18:147
Reciprocal Social Security Agreements Entered into by Australia: Extending Income Support or Winding Back the Welfare State? (B Simpson) 17:327
Restitutionary Principles in Tort: Wrongful User of Property and the Exemplary Measure of Damages (J Glover) 18:169
Some Reflections on Consumer Protection and the Law Reform Process (A Duggan) 17:252

INDEX TO CONTRIBUTORS

AITKEN, LEE
'Chinese Wails' and Conflicts of Interest 18: 91

BALMFORD, PETER
Reviewed:
Aitken, J K: Piesse — the Elements of Drafting 18:273

BOSMANS, GREG (and F Lewis)
Proximity and Illegality in Negligence 18:237

BRYANT, TANNETJE LIEN (and S G Streets)
Ministerial Power to Amend Planning Schemes Without Notice: What Limits? 18:119

BURNS, FIONA R
The Quistclose Trust: Intention and the Express Private Trust 18:147

DODDS, JULIE
New Developments in Directors' Duties — the Victorian Stance on Financial Competence 17:132

DUGGAN, A J
Some Reflections on Consumer Protection and the Law Reform Process 17:252

EVANS, R C
Reviewed:
Yeo, S M H (ed): Partial Excuses to Murder 17:163

FOX, RICHARD G
Order Out of Chaos: Victoria's New Maximum Penalty Structure 17:106

GAZE, BETH
Reviewed:
Scutt, J: Women and the Law 18:134

GINSBOURG, SHAUN (and B Newton)
Gala v *Preston*: the Defence of Illegality to an Action in Negligence 18:243

GLOVER, JOHN
Restitutionary Principles in Tort: Wrongful User of Property and the Exemplary Measure of Damages 18:169

GOLDSWORTHY, ANDREW
Reviewed:
Carney, T: Law at the Margins: Towards Social Participation? 17:159

HEFFEY, PETER
Reviewed:
Graw, S: An Introduction to the Law of Contract 17:154

HOGG, KAREN M
The Liability of a Public Authority for the Failure to Carry Out a Careful Exercise of its Statutory Powers: the Significance of the High Court's Decision in *Sutherland Shire Council* v *Heyman* 17:285

KNEEBONE, SUSAN
Reviewed:
Cornish, W R: Law and Society in England 1750–1950 18:142

LEE, H P
Reviewed:
Zines L: Constitutional Change in the Commonwealth 17:156

LEWIS, FIONA (and G Bosmans)
Proximity and Illegality in Negligence 18:237

LINDELL, G J
The Cross-Vesting Scheme and Federal Jurisdiction Conferred upon State Courts by the *Judiciary Act* 1903 (Cth) 17: 64

McGARVIE, R E
Legal Education: Pulling its Weight in the Nineteen Nineties and Beyond 17: 1

McLEISH, STEPHEN
Making Sense of Religion and the Constitution: a Fresh Start for Section 116 18:207

MARKS, K H
The Interventionist Court and Procedure 18: 1

MASON, SIR ANTHONY
Law and Economics 17:167

MENDELSON, DANUTA
The Defendants' Liability for Negligently Caused Nervous Shock in Australia — Quo Vadis? 18: 17

MURUMBA, SAMUEL
Good Legal Writing: a Guide for the Perplexed 17: 93

NEAVE, MARCIA
Living Together — the Legal Effects of the Sexual Division of Labour in Four Common Law Countries 17: 14

NEWTON, BRADLEY J (and S Ginsbourg)
Gala v *Preston*: the Defence of Illegality to an Action in Negligence 18:243

O'CONNOR, PAMELA
Aboriginal Land Rights at Common Law: *Mabo* v *Queensland* 18:251

PATERSON, MOIRA
Legitimate Expectations and Fairness: New Directions in Australian Law 18: 70

SIMPSON, BRIAN
Reciprocal Social Security Agreements Entered into by Australia: Extending Income Support or Winding Back the Welfare State? 17:327

STREETS, SUSAN G (and T L Bryant)
Ministerial Power to Amend Planning Without Notice: What Limits? 18:119

STRUM, ANTHONY
Jewish Divorce in Australian Family Law: the Enforceability of Jewish Nuptial and Prenuptial Contracts 17:182

TEH, GIM
Deferred Indefeasibility of Title in Victoria? 17: 77
Reviewed:
Robinson S: The Property Law Act — Victoria 18:271

WANG, KUI HUA
Reviewed:
Chiu T et al: Legal Systems of the PRC 18:267

WEIR, MOANA
Making Sense of Copyright Law Relating to Parody: a Moral Rights Perspective 18:194

WILLIAMS, C R
In memoriam: Sir Richard Moulton Eggleston Vol 17(2)

TABLE OF CASES

Chasfild Pty Ltd v *Taranto* 17: 77
Gala v *Preston* 18:237, 243
Mabo v *Queensland* 18:251
Sutherland Shire Council v *Heyman* 17:285

TABLE OF LEGISLATION

COMMONWEALTH:
Constitution s 116 18:207
Corporations Law s 592 17:132
Judiciary Act 1903 17: 64

VICTORIA:
Companies (Victoria) Code s 556 17:132
Planning and Environment Act 1987 18:119
Sentencing Act 1991 17:106

MONASH LAW SCHOOL FOUNDATION LECTURES

25 March 1992: Law and Economics (Sir Anthony Mason) 17:167
15 September 1992: The Interventionist Court and Procedure (Justice K H Marks) 18: 1

BOOKS REVIEWED

Arranged by Author
Aitken J K: [E L] PIESSE — *The Elements of Drafting*, 18:273
Carney T: *Law at the Margins: Towards Social Participation?* 17:159
Chiu T, Dobinson I and Findley M: *Legal Systems of the PRC*, 18:267
Cornish W R and (the late) Clark G de N: *Law and Society in England 1750–1950*, 18:142
Graw S: *An Introduction to the Law of Contract*, 17:154
Robinson S: *The Property Law Act — Victoria*, 18:271
Scutt J: *Women and the Law*, 18:134
Yeo S M H (ed): *Partial Excuses to Murder*, 17:163
Zines L: *Constitutional Change in the Commonwealth*, 17:156
Arranged by Title
Constitutional Change in the Commonwealth (L Zines), 17:156
(An) *Introduction to the Law of Contract; An* (S Graw), 17:154
Law and Society in England 1750–1950 (W R Cornish and G de N Clark), 18:142
Law at the Margins: Towards Social Participation? (T Carney), 17:159
Legal Systems of the PRC (T Chiu, I Dobinson and M Findley), 18:267
Partial Excuses to Murder (ed S M H Yeo), 17:163
[E L] PIESSE — *The Elements of Drafting* (J K Aitken), 18:273
The Property Law Act — Victoria (E S Robinson), 18:271
Women and the Law (J Scutt), 18:134